

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,  
Plaintiff,

-vs-

DAVEY JOE BURSON,  
Defendant.

NO. CR-02-2043-WFN

ORDER

Pending before the Court is Defendant's Motion for Reconsideration, filed by Davey Joe Burson *pro se* on September 26, 2005 (Ct. Rec. 79). A review of this motion reveals that it is identical in form and substance to the Motion for Reconsideration filed on September 20, 2005. However, because the Defendant re-filed it, the Clerk's office was obligated to file it as a new motion and place it on the Court's pending motion docket.

The Defendant's first Motion for Reconsideration was disposed of by the Court's Order dated September 26, 2005. (Ct. Rec. 78). As the instant Motion for Reconsideration raises no new arguments, the Court sees no reason to alter its analysis and ruling. Accordingly,

**IT IS ORDERED** that:

1. Defendant's Motion for Reconsideration, filed September 26, 2005, **Ct. Rec. 79**, is **DENIED** as moot.
2. The District Court Executive is directed to:
  - (a) File this Order; and

1 (b) Provide copies to the Defendant and to the United States Attorney, Spokane,  
2 Washington.

3 **DATED** this 28th day of September, 2005.  
4

5  
6 09-28

s/ Justin L. Quackenbush, for:  
WM. FREMMING NIELSEN  
SENIOR UNITED STATES DISTRICT JUDGE